

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
OCTOBER 18, 2005

The meeting was called to order by Mayor Kievit at 7:00 P.M. with the opening statement that the meeting had been duly advertised and met all the requirements of the Sunshine Law. Also present were: Deputy Mayor Hamilton, Councilman Ross, Councilman Lasinski, Councilman Armstrong, Manager Marianne Smith, and Clerk Jane Bakalarczyk

**SALUTE THE FLAG:**

**CONSENT AGENDA: ALL MATTERS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.**

**Monthly Reports:**

1. Municipal Clerk Report – September 2005
2. Tax Collector Report –September 2005
3. Construction Official Report – September 2005
4. Zoning Officer Report – as of 9/21/05
5. Smoke Detector & CO Alarm Inspections – 3<sup>rd</sup> Q 2005
6. HTMUA – Minutes of 8/10/05
7. Planning Board – Minutes/Resolutions
8. Joint Planning Board/Council Meeting Minutes of 9/8/05
9. Finance Officer Report – August 2005
10. Court Administrator Report – September 2005

**Minutes:**

1. Regular Minutes of 9/20/05
2. Executive Session Minutes of 9/20/05
3. Special Meeting Minutes of 10/11/05
4. Workshop Minutes of 10/11/05
5. Executive Session Minutes of 10/11/05

**Licenses:**

1. 50/50 – Tri-State Actors Theater
2. Raffle – Tri-State Actors Theater
3. 50/50 – Hamburg Parent Teacher Association
4. Raffle – Hamburg Parent Teacher Association.

A motion was made by Ross to approve the consent agenda as presented, seconded by Lasinski. All in favor. Motion carried.

**OLD BUSINESS:**

**ORDINANCES:**

**1st READING: None**

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**ORDINANCES:**

**2nd READING: 2005-11**

AN ORDINANCE TO AMEND THE ESTABLISHED MINIMUM AND MAXIMUM SALARIES FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF HARDYSTON TO PROVIDE THE METHOD FOR THE PAYMENT OF ANNUAL SALARY INCREMENTS IN THE DISCRETION OF THE TOWNSHIP COUNCIL

BE IT ORDAINED by the Township Council of the Township of Hardyston that Section 2 be amended to include the following:

Section 2. The minimum and maximum rates of compensation for each employee or class of employees who are employed on an hourly basis shall be and are hereby fixed as follows:

POSITION HOURLY	MINIMUM HOURLY	MAXIMUM
Custodian	\$14.00	\$16.00

A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. No public comment. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried. A motion was made by Ross to approve Ordinance 2005-11 on second reading, seconded by Lasinski. All in favor. Motion carried.

**NEW BUSINESS:**

A. Tax Collector Resolutions

RESOLUTION # 15-05

WHEREAS, Hardyston Township needs to forgive taxes on Block 41 Lot 11 Qualification CELL2 also known as Nextel of New York, Inc. for the tax year 2005 as per lease agreement,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector cancel the amount of \$ 4,576.39 for 2005 taxes.

RESOLUTION # 16-05

WHEREAS, Scott Holzhauer, Assessor for Hardyston Township, fully assessed new construction known as 31 Bunn Road also known as Block 71 Lot 5.04 and owned by John & Rachel Captoni, and

WHEREAS, the upstairs of the house had not been completely finished so the Assessor lowered the assessment value and adjusted the first half of 2005 taxes.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector adjust the taxes for 31 Bunn Road in the amount of \$ 1,843.78 representing adjustment for the first half of 2005.

A motion was made by Hamilton to approve the resolutions as presented, seconded by Armstrong. All in favor with Lasinski abstaining. Motion carried.

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B. 2005 Salary Amendment Resolution

BE IT RESOLVED by the Hardyston Township Council that the hourly salaries and wages effective October 17, 2005 shall be paid as follows:

Custodian	\$14.00/hour
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A motion was made by Armstrong to approve the resolution as presented, seconded by Lasinski. All in favor. Motion carried.

C. Resolution Accepting A Letter Of Credit In The Amount Of \$92,556.00 And A Cash Bond In The Amount Of \$10,284.00 From Crystal Springs Builders, LLC For Balmoral Estates Phase II

**WHEREAS**, the Hardyston Township Planning Board granted approval to Crystal Springs Builders, LLC for Balmoral Estates, Phase II; and

**WHEREAS**, as a condition of said approval of Balmoral Estates, Phase II, Crystal Springs Builders, LLC was required to post a performance guarantee with the Township of Hardyston for the said site in the amount of \$102,840.00 and;

**WHEREAS**, Crystal Springs Builders, LLC has submitted to the Municipal Clerk an Irrevocable Letter of Credit in the amount of \$92,556.00, and a cash bond in the amount of \$10,284.00; and

**WHEREAS**, the letter of credit has been reviewed and approved as to form by the Township Attorney and Township Engineer.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Hardyston that it hereby accepts the above stated bonds from Crystal Springs Builders, LLC for Balmoral Estates, Phase II as performance securities required by the Hardyston Township Planning Board.

A motion was made by Hamilton to approve the resolution as presented, seconded by Armstrong. All in favor with Lasinski abstaining. Motion carried.

D. Resolution Reducing The Performance Bond Posted By Pottersville Properties Development, LLC For Wits End Road/Shady Lane Intersection

**WHEREAS**, the Hardyston Township Planning Board granted approvals to Pottersville Properties Development, LLC for the realignment of Wits End Road/Shady Lane Intersection;

**WHEREAS**, as part of the Planning Board approval Pottersville Properties Development, LLC was required to post a performance bond for said public improvements; and

**WHEREAS**, Pottersville Properties Development, LLC has posted a performance bond in the amount of \$262,676.80 and a cash bond in the amount of \$28,075.20 for public improvements in compliance with the Planning Board approval and upon the recommendation of the Township Engineer; and

**WHEREAS**, Pottersville Properties Development, LLC has requested a reduction in the bonding amount due to substantial completion of public improvements; and

**WHEREAS**, the Township Engineer has reviewed the request of Pottersville Properties Development, LLC and has found substantial completion of public improvements; and

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WHEREAS, the Township Engineer has therefore recommended that the bond should be maintained as follows:

Total Bond Amount	\$84,228.60
Surety amount (90%)	\$75,805.74
Cash amount (10%)	\$ 8,422.86

NOW THEREFORE BE IT RESOLVED by the Hardyston Township Council that the bond for Wits End Road/Shady Lane Intersection be reduced in accordance with the recommendation of the Township Engineer.

A motion was made by Hamilton to approve the resolution as presented, seconded by Armstrong. All in favor. Motion carried.

E. Resolution authorizing Change Order #8 and Change Order #9 for New Municipal Building Complex Project

BE IT RESOLVED by the Township Council of the Township of Hardyston that Change Order #8 and Change Order #9 for the Hardyston Municipal Building Complex project is hereby approved.

A motion was made by Hamilton to approve the resolution as presented, seconded by Lasinski. All in favor. Motion carried.

F. Resolution awarding bid for one (1) 2006 Type III Emergency Medical Vehicle (Option A) in the amount of \$138,897.00 to The Vickery Companies

WHEREAS, bids for One (1) 2006 Type III Emergency Medical Vehicle & Equipment were advertised according to law in the New Jersey Herald; and

WHEREAS, bids for said purchase were opened at the Hardyston Township Municipal Building at 11: 00 a.m. on Tuesday, October 4, 2005, and

WHEREAS, The Vickery Companies submitted the sole bid in the amount of \$138,897.00 for Option A, and

WHEREAS, bids have been reviewed by the Project Engineer and the Township Attorney, and

WHEREAS, the Township Treasurer has certified that adequate funds exist provided for by Ordinance 2005-10 for the award of bid to The Vickery Companies; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it hereby awards the bid for One (1) 2006 Type III Emergency Medical Vehicle (Option A) in the amount of \$138,897. 00 to The Vickery Companies.

A motion was made by Hamilton to approve the resolution as presented, seconded by Armstrong. All in favor with Ross abstaining. Motion carried.

G. Correspondence

1. Township of Hampton
2. Township of Vernon
3. Township of South Brunswick

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4. Township of Jefferson
5. Hampton Township
6. Township of Sparta
7. Township of Riverside
8. Township of Byram
9. Township of Green
10. Township of Lafayette
11. County of Sussex
12. County of Sussex
13. Sussex County EDP
14. County of Sussex
15. NJ State League of Municipalities
16. NJ State League of Municipalities
17. NJ State League of Municipalities
18. NJ State League of Municipalities
19. NJ State League of Municipalities
20. NJ State League of Municipalities
21. NJ State League of Municipalities
22. NJ State League of Municipalities
23. State of NJ
24. State of NJ
25. State of NJ
26. Research Works Newsletter
27. Elizabethtown Gas
28. Township of Green
29. Township of Sparta

A motion was made by Armstrong to approve the correspondence as presented, seconded by Lasinski. All in favor. Motion carried.

**MANAGERS REPORT:** Township Manager Marianne Smith gave a written and verbal report on the following:

- Municipal Building/Police Station Complex
- Fireman's Parade
- Ambulance Bid
- Planning Issues
- Department of Public Works
- 2006 Budget Preparations
- Programs In Progress

**BILLS TO BE PAID:** A motion was made by Ross to approve the bill list as presented, seconded by Lasinski. All in favor with Kievit abstaining on payment to DeVita. Motion carried.

**PUBLIC PORTION:** A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. No public comment. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

A motion was made by Ross to amend the 2005 Holiday Schedule for Township Employees from November 11, 2005 (Veterans Day) to November 14, 2005 if it is necessary to do so due to the move to the new municipal building, seconded by Hamilton. All in favor. Motion carried.

**EXECUTIVE SESSION:** None

**ADJOURNMENT:** A motion was made by Ross to adjourn, seconded by Lasinski. All in favor. Motion carried.

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Jane Bakalarczyk, RMC  
Municipal Clerk